

05 MAR 2007



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Smith Gambrell & Russell
Suite 800
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In re Application of :
TANAKA :
Application No.: 10/541,379 :
PCT No.: PCT/JP2005/005797 : NOTIFICATION
Int. Filing Date: 29 March 2005 :
Priority Date: 11 August 2004 :
Attorney's Docket No.: 033082 M 259 :
For: PROCESS SYSTEM, PROCESS METHOD, AND :
COMPUTER READABLE STORAGE MEDIUM :
AND COMPUTER PROGRAM :

This application is before the Office of PCT Legal Affairs for consideration of matters arising under 35 U.S.C. 371.

On 29 March 2005, applicant filed international application PCT/JP2005/005797, which designated the United States and claimed a priority date of 11 August 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 16 February 2006. The thirty-month period for paying the basic national fee in the United States expires at midnight on 12 February 2007 (11 February 2007 being a Sunday).

On 06 November 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a declaration of the inventor, a translation of the international application into English and a check for \$2,590.00. The Transmittal Letter also authorized charging of any additional fees which may be required to Deposit Account No. 02-4300.

On 09 November 2005, the United States Designated/Elected Office mailed a Notification of Insufficient Fees (Form PCT/DO/EO/923) indicating that the surcharge under 37 CFR 1.492(h) was required.

The surcharge under 37 CFR 1.492(h) is not required in the instant application. The Notification of Insufficient Fees mailed 09 November 2005 was sent in error and is hereby **VACATED**.

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty

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Legal Administration
Telephone: (571) 272-3301
Facsimile: (571) 273-0459